

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 07-2251(DSD/AJB)

Richard Brian Bruestle,

Petitioner,

v.

ORDER

Jessica Symmes, Warden,

Respondent.

This matter is before the court upon petitioner Richard Brian Bruestle's objections to the report and recommendation of Magistrate Judge Arthur J. Boylan dated April 8, 2009. In his report, the magistrate judge recommends that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied and that this matter be dismissed with prejudice.

The court reviews the magistrate judge's report and recommendation de novo. 28 U.S.C. § 636(b)(1)(C). Petitioner objects only to the magistrate judge's conclusion that the record does not support his claim for ineffective assistance of counsel. After a thorough review of the file and record, the court finds that the report and recommendation of the magistrate judge is well-reasoned and correctly resolves the issues in this matter. Therefore, the court adopts the report and recommendation of the magistrate judge in its entirety.

Accordingly, **IT IS HEREBY ORDERED** that petitioner's application for habeas corpus relief under 28 U.S.C. § 2254 [Doc. No. 1] is dismissed.

Dated: July 6, 2009

s/David S. Doty
David S. Doty, Judge
United States District Court